

Message Text

LIMITED OFFICIAL USE

PAGE 01 ROTTER 00207 211235Z

41

ACTION OES-04

INFO OCT-01 EUR-12 ISO-00 HEW-02 L-02 AID-05 CEQ-01

CIAE-00 OFA-01 COME-00 DODE-00 EB-07 EPA-01 INR-07

IO-10 NSF-01 NSC-05 NSAE-00 PM-03 SS-15 SP-02 FEAE-00

OMB-01 TRSE-00 PA-01 PRS-01 /082 W

----- 037587

R 211146Z MAR 75

FM AMCONSUL ROTTERDAM

TO SECSTATE WASHDC 1739

LIMITED OFFICIAL USE ROTTERDAM 0207

E.O. 11652: N/A

TAGS: EIND, SENV, NL, US

SUBJ: OXIRANE CASE

REF: ROTTERDAM 0155 AND PREVIOUS

1. PUBLIC HEARING BEFORE SPECIFICALLY APPOINTED FOUR-MAN APPEALS SUBCOMMITTEE OF MUNICIPAL COUNCIL OF ROTTERDAM TOOK PLACE ON AFTERNOON OF MARCH 18, DURING WHICH OXIRANE STATED ITS CASE IN APPEAL OF 4.5 MILLION GUILDER FINE LEVIED AGAINST IT BY CITY AS RESULT OF DECEMBER 1, 1974 INCIDENT. OPEN SESSION, REQUESTED BY OXIRANE, WAS HEAVILY ATTENDED BY PUBLIC AND PRESS. HARBOR ALDERMAN VAN DER POLS (PVDA) WAS ALSO PRESENT. HEARING WAS CALM AND ORDERLY TO POINT OF ENNUI.

2. OXIRANE'S CASE, PRESENTED BY ITS COUNSEL J. R. VOUTE AND ILLUSTRATED BY CHARTS AND SCHALE MODEL OF ITS PLANT, CAME OUT STRONGLY AGAINST "IRRESPONSIBLE" METHODS USED BY EXECUTIVE COUNCIL IN ITS HANDLING OF AFFAIR. THERE WERE, IN FACT, NO "POISONOUS GAS CLOUDS", PHRASE OFTEN USED IN CITY'S EARLY REPORTS AND ITS "POLITICALLY MOTIVATED" LEVYING OF SUCH HIGH FINE. AS ARGUED BY VOUTE, FIRM THAT WAS FOUND LIABLE IN SUCH CASE SHOULD ORDINARILY RECEIVE ONLY TOKEN FINE.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 ROTTER 00207 211235Z

OXIRANE QUESTIONED CITY'S LEGAL STANDING IN IMPOSING FINE, SINCE

LEGAL AUTHORITY FOR ADJUDICATING POLLUTION LAW VIOLATIONS IS VESTED IN RIJNSMOND COUNCIL THROUGH PROVINCE OF SOUTH HOLLAND. THAT BODY HAS NOT FOUND OXIRANE IN VIOLATION OF ANY LAW, WHILE EXECUTIVE COUNCIL BASED ITS FINE ON AN ASSUMPTION OF SUCH VIOLATION. EXECUTIVE COUNCIL FURTHER MAINTAINS THAT OXIRANE WAS DERELICT IN ITS DUTY TO REPORT VENTING OF GASES, CHARGE OXIRANE COUNTERS BY POINTING OUT THAT THEY ARE REQUIRED TO MAKE SUCH REPORTS ONLY IN CASE OF DANGER TO LIFE OR PROPERTY, WHILE SUCH DANGER NEVER EXISTED IN DECEMBER 1 INCIDENT.

3. SUBCOMMITTEE IS EXPECTED TO FILE ITS REPORT BEFORE FULL MUNICIPAL COUNCIL IN MID-APRIL.
CHRISTIANO

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CHEMICAL INDUSTRY, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 21 MAR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: greeneet
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975ROTTER00207
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750099-0980
From: ROTTERDAM
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750327/aaaaaydb.tel
Line Count: 74
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION OES
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 ROTTERDAM 0155
Review Action: RELEASED, APPROVED
Review Authority: greeneet
Review Comment: n/a
Review Content Flags:
Review Date: 09 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <09 JUN 2003 by KelleyW0>; APPROVED <16 OCT 2003 by greeneet>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: OXIRANE CASE
TAGS: EIND, SENV, NL, US, OXIRANE CHEMIE NEDRELAND
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006